NOA: 0 & 500R

PTO/SB/21 (09-04)

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## **TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3	pond to a collection of information unless it displays a valid OMB control number					
	Application Number	10/763,974				
	Filing Date	January 22, 2004				
First Named Inventor		Hassan PAJOUHESH				
	Art Unit	1626				
	Examiner Name	J. Kosack				
	Attorney Docket Number	381092001600				

ENCLOSURES (Check all that apply)							
	nittal Form (1 page + or fee processing)	Drawing(s)	After Allowance Communication to TC				
Fee Attached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences			
x Amendmer	nt/Reply (13 pages)	Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)			
After Final		Petition to Convert to a Provisional Application		Proprietary Information			
Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Ac		Status Letter			
Extension of Time Request  Express Abandonment Request		Terminal Disclaimer		X Other Enclosure(s) (please Identify below):			
		Request for Refund		Return Receipt Postcard			
. Information	Disclosure Statement	CD, Number of CD(s)					
Certified Copy of Priority Document(s)		Landscape Table on CD					
Reply to Missing Parts/ Incomplete Application		Remarks					
Reply to Missing Parts under		Customer No. 25225					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm Name	MORRISON & FOERSTER LLP						
Signature	Signature Will golf Same						
Printed name	Michael G. Smith						
Date	November 2, 2006	F	Reg. No.	44,422			

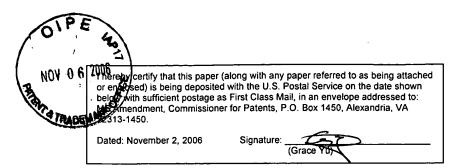
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service of the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.					
Dated: November 2, 2006	Signature:	(Grace Yu)			

PTO/SB/17 (01-06)

Approved for use through 7/31/2006. OMB 0651-0032

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FEE TRANSMITTAL For FY 2006    X   Applicant claims small entity status   See 37 CFR 1.27   Examiner Name   J. Kosack	Onder the Paperwork Reduction Act of 1995, no person are required to				Complete if Known				
FILING FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)  T. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES Small Entity Application Type Fee (S) Fee	Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).				10,700,074				
FOR FY 2006    First Named Inventor Name   D.   Kosack   D.   Kosack   D.	FEE IRANSMIITAL								
Applicant claims small entity status. See 37 CFR 1.27		For FY 2006						JHESH	
METHOD OF PAYMENT (\$) 75.00   Attomey Docket No.   381092001600							J. Kosack		
METHOD OF PAYMENT (check all that apply)	X Applicant	claims small entity sta	us, See 37 CF	R 1.27	Art Unit 1626				
Check Credit Card Money Order Other (please identify):    X   Deposit Account   Deposit Account Number   O3-1952   Deposit Account Name:   Morrison & Foerster LLP	TOTAL AMOU	NT OF PAYMENT	<b>(\$)</b> 75.	00	Attorney Docket No. 381092001600				
Deposit Account   Deposit Account Number   O3-1952   Deposit Account Name:   Morrison & Foerster LLP	METHOD OF	PAYMENT (check	all that apply	)					
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)    X   Charge fee(s) indicated below   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s)   Examilar fee(s)   Examilar fee(s)   Examilar fee(s)   Exel   S	Check	Credit Card	Money Ord	er No	ne Other	(please iden	tify):		
Charge fee(s) indicated below   Charge fee(s) indicated below, except for the filing fee   X   Charge fee(s) under 37 CFR 1.16 and 1.17   X   Credit any overpayments   X   Credit   X   Credit any overpayments   X   Credit any overpayments   X	x Deposit Acc	count Deposit Account	Number: 03-19	52 Deposit Acc	count Name:	Mg	rrison & Foerst	ter LLP	
Charge any additional fee(s) or underpayment of	For the a	above-identified dep	osit account, t	the Director is	hereby authoriz	ed to: (che	ck all that apply)		
Fee   Sunder 37 CFR 1.16 and 1.17	x Ch	narge fee(s) indicate	d below		Charg	je fee(s) in	dicated below, ex	cept for th	e filing fee
FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)				erpayment of	x Credit	any overp	ayments		
Search   S		· ·		re due upo	n filing or may	be subje	ect to a surcha	rge.)	
Name	_							<del>- ·</del>	
Application Type		F							
Utility	Application Tv	rpe Fee (S						Fees P	aid (\$)
Design   200   100   100   50   130   65   0.00     Plant   200   100   300   150   160   80   0.00     Reissue   300   150   500   250   600   300   0.00     Provisional   200   100   0   0   0   0   0   0   0     Provisional   200   100   0   0   0   0   0   0   0     Provisional   200   100   0   0   0   0   0   0   0     EXCESS CLAIM FEES   Small Entity   Fee Obscription   Each claim over 20 (including Reissues)   50   25     Each independent claims over 3 (including Reissues)   50   25     Each independent claims   Extra Claims   Fee (\$)   Fee Paid (\$)   Multiple Dependent Claims     23									
Plant					50	130	65	0.0	00
Reissue   300   150   500   250   600   300   0.00					150	160	80	0.0	00
Provisional   200   100   0   0   0   0   0   0   0   0		300	150	500	250	600	300	0.0	00
Fee Description Each claim over 20 (including Reissues) Each independent claim over 3 (including Reissues)  Each independent claims  Total Sheets  Total She		200	100	0	0	0	0	0.0	00
Each claim over 20 (including Reissues)  Each independent claim over 3 (including Reissues)  Multiple dependent claims  Total Claims  Extra Claims  25.00 = 75.00  Indep. Claims  Extra Claims  Extra Claims  Fee (\$)  Fee Paid (\$)  1 -3 = 0	2. EXCESS CLA	NIM FEES					•		
Each independent claims over 3 (including Reissues)  Multiple dependent claims  Total Claims  Extra Claims  Fee (\$)  Fee Paid (\$)  HP = highest number of total claims paid for, if greater than 20.  Indep. Claims  1									
Multiple dependent claims  Total Claims  Extra Claims  Extra Claims  Extra Claims  Fee (\$)  Fee Paid (\$)  Multiple Dependent Claims  Fee (\$)  Fee Paid (\$)  HP = highest number of total claims paid for, if greater than 20.  Indep. Claims  Extra Claims  Fee (\$)  Fee Paid (\$)  1									
Total Claims  23 - 20 = 3			luding Reissu	es)					
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HP = highest number of total claims paid for, if greater than 20.									
Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)  1 -3 = 0 x = 0.00  HP = highest number of independent claims paid for, if greater than 3.  3. APPLICATION SIZE FEE  If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).  Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)  -100 = /50 (round up to a whole number) x = 0.00  4. OTHER FEE(S)  Non-English Specification, \$130 fee (no small entity discount)  Other (e.g., late filing surcharge):  SUBMITTED BY  Signature  Registration No. (Attorney/Agent) 44,422 Telephone (858) 720-5113					3.00	<u>F</u>	EG (1)		ı
1 -3 = 0 x = 0.00  HP = highest number of independent claims paid for, if greater than 3.  3. APPLICATION SIZE FEE  If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).  Total Sheets					Paid (\$)				_
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If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).  Total Sheets		·	s paid for, if grea	ter than 3.					
- 100 =	3. APPLICATION SIZE FEE  If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50								
4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge):  SUBMITTED BY Signature  Registration No. (Attorney/Agent)  Registration No. (Attorney/Agent)  44,422  Telephone (858) 720-5113	Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)								
Non-English Specification, \$130 fee (no small entity discount)  Other (e.g., late filing surcharge):  SUBMITTED BY  Signature  Registration No. (Attorney/Agent)  Registration No. (Attorney/Agent)  44,422  Telephone (858) 720-5113	(667								
Other (e.g., late filing surcharge): 0.00  SUBMITTED BY Signature Registration No. (Attorney/Agent) 44,422 Telephone (858) 720-5113									
SUBMITTED BY Signature  Registration No. (Attorney/Agent)  A4,422  Telephone (858) 720-5113	Tion Bigion Specification, 4 to 5 to (in Similar Cont.)								
Signature Registration No. (Attorney/Agent) 44,422 Telephone (858) 720-5113	Other (e.g., late filing surcharge):								
Signature // (Attorney/Agent) 44,422 Telephone (830) 720-3713	CO // 1/1/ /// Cold Designation No.								
Name (Print/Type) Michael G. Smith Date November 2, 2006	Signature	Mishael?	Brut	7		44,422	Telephone	(858) 720	)-5113
	Name (Print/Type)								



Docket No.: 381092001600

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hassan PAJOUHESH et al.

Application No.: 10/763,974

Filed: January 22, 2004

For: N-TYPE CALCIUM CHANNEL BLOCKERS

Confirmation No.: 7894

Art Unit: 1626

Examiner: J. Kosack

## AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

## INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated August 2, 2006, for which a response is due on November 2, 2006. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

11/07/2006 CNEGA1

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Remarks/Arguments begin on page 8 of this paper. 01 FC:2202

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